

REMARKS

Claims 1, 2 and 4-17 are pending in this application. By this Amendment, claims 1, 2 and 4-17 are amended. Support for the subject matter of claims 1, 7, 16 and 17 may be found at least at paragraphs [0036]-[0044] of the specification and the figures. Claims 3-6 and 8-15 are amended for form. No new matter is added. Reconsideration and allowance of the application are respectfully requested.

I. Claim Rejection under 35 U.S.C. §112

The Office Action rejects claims 1-15 under 35 U.S.C. §112, second paragraph as being indefinite. Specifically, the Office Action asserts that the phrase "similar to a computer" in claims 1, 7 and 15 is unclear. This rejection is respectfully traversed.

Claims 1 and 7 have been amended to recite "[a]n image generating method performed by an apparatus including a processor." Claim 15 has been amended to recite "a program for causing an apparatus including a processor to perform the image generating method as claimed in claim 7, the storage medium being readable by the apparatus."

Accordingly, withdrawal of the rejection is respectfully requested.

II. Claim Rejections under 35 U.S.C. §103

The Office Action rejects claims 1, 2, 4, 5, 8, 12, 14 and 16 under 35 U.S.C. §103(a) over U.S. Patent No. 5,853,327 (Gilboa) in view of GameFAQs: Starfox (Starfox);¹ rejects claims 4 and 5 under 35 U.S.C. §103(a) over Gilboa in view of Starfox in view of Atari Archives (Tempest 2000); rejects claim 6 under 35 U.S.C. §103(a) over Gilboa in view of Starfox in view of U.S. Patent No. 5,633,471 (Fukushima) and in view of U.S. Patent No.

¹ Please note that while the Office Action rejects claims 4 and 5 under this rejection, it is believed that this is in error, as the Office Action does not substantially address claims 4 and 5 in this section but rather addresses claims 4 and 5 in a separate part of the Office Action.

5,635,683 (McDermott); rejects claims 7, 9, 13, 15 and 17 under 35 U.S.C. §103(a) over Gilboa in view of JP-A-2002-301264 (Toshiyuki) in view of Starfox; and rejects claims 10 and 11 under 35 U.S.C. §103(a) over Gilboa in view of Starfox in view of Toshiyuki in view of U.S. Patent No. 5,821,916 (Watson). These rejections are respectfully traversed.

Applicants respectfully submit that the applied references taken alone or in any combination, fail to teach and would not have rendered obvious "setting discretionarily a size of a two-dimensional movement area correlating with a placement detectable area on the tablet, and setting the two-dimensional movement area in a game space; controlling a display position of the character... in a position in the two-dimensional movement area correlating with the placed position... in the placement detectable area according to the selected character information, and controlling the character to perform an action according to a predetermined action pattern... generating an image of the game space including the whole correlating area so that the character is displayed regardless of the size of the two-dimensional movement area and regardless of where in the placement detectable area a player places the [formed object/ printed matter]," as recited in independent claims 1 and 7. Claims 16 and 17 recite similar subject matter, which the references also fail to teach or render obvious.

Applicants respectfully submit that the Gilboa and Starfox references both pertain to three-dimensional game spaces. In contrast, the presently claimed features pertain to a two-dimensional movement area in which various functions are detected, performed, generated and displayed. In particular, the presently claimed features pertain to a two-dimensional movement area in the game space correlating with the placement detectable area on the tablet. The placement detectable area and the two-dimensional movement area correlate with each other in a one-to-one relationship. The operated character moves within this two-dimensional movement area. Here, a character is disposed at a position in the two-dimensional movement area correlating with the placed position of the formed object or the printed matter.

Therefore, when a player moves the formed object or the printed matter on the tablet the character moves within the two-dimensional movement area. In addition, the present invention detects a change in the placed position and direction obtained from the input system. When this change satisfies a predetermined condition, the character is controlled to perform an action according to a predetermined action pattern. When a player moves or changes the direction of the formed object or the printed matter on the tablet, the character disposed on the game space automatically performs the action according to a predetermined action pattern.

Furthermore, Applicants submit that the motivation to combine the Gilboa and Starfox references is based on hindsight reasoning. Starfox and Gilboa are both self-contained games with their own independent purposes. Furthermore, Gilboa already provides a viewing area for the purposes of the game taught in the spaceship embodiment, thus there would be no need to combine Gilboa with the different views of Starfox. The motivation cited by the Office Action is attenuated at best and the alleged "advantages" of such a combination are not clear. Thus, Applicants respectfully submit that the Office Action fails to provide adequate motivation to combine the references to constitute a *prima facie* case of obviousness.

Additionally, Tempest 2000, Fukushima, McDermott, Toshiyuki and Watson fail to cure the deficiencies of Gilboa and Starfox.

Thus, the applied references, either individually or in any combination, do not disclose or render obvious each and every feature of independent claims 1, 7, 16 and 17.

Claims 2, 4-6 and 8-15 depend from claims 1 and 7. Because the applied references fail to anticipate or render obvious the features recited in independent claims 1 and 7, dependent claims 2, 4-6 and 8-15 are patentable for at least the reasons that claims 1 and 7 are patentable, as well as for the additional features they recite.

Accordingly, withdrawal of the rejections is respectfully requested.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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